



Howard County

Internal Memorandum

Subject: Testimony on Council Bill No CB 51-2019; Pesticide use on County Property

To: Lonnie R. Robbins, Chief Administrative Officer

From: Joshua Feldmark, Director of Sustainability

Date: October 1, 2019

From signing the “We Are Still In” declaration, to accepting the Natural and Working Lands Challenge, and becoming a Bee City USA, the County has been increasing our commitment to protecting, enhancing, and restoring the natural environment. In becoming a certified Bee City, we recognized that pollinators provide critical ecological services and are threatened by the over use of pesticides. Additionally, the over use of pesticides creates an unnecessary public health risk to the people who live, work, and play in Howard County.


It should be noted that over the last several years the County has taken a proactive approach by limiting the use of pesticides and following integrated pest management practices. Further, two policies managing County pesticide use already exist.

We built upon those two policies and created a County wide integrated pest management program, which eliminates our use of Chlorpyrifos, and dramatically reduces our use of Neonicotinoids and Glyphosate. This policy, 100.18, has been attached to this testimony.

It is also critical to note that this legislation and policy apply exclusively to County controlled, managed, or owned buildings and grounds. Private property is not affected.

Finally, while we understand that we could have enacted this policy without legislation and the policy will, by design, continue to be updated and improved upon, we feel the legislation is important for two reasons. First it places a level of permanence and authority upon the policy, forcing this and future administrations into reviewing and addressing this issue. Secondly, it adds transparency to the process so that members of our community are made fully aware and can hold us accountable.

The legislation and the affiliated policy are expected to have a *de minimis* fiscal impact. I am available to more fully explain the legislation or any of the provisions of the policy.

<p>Department of</p>  <p>County Administration</p>	<p>HOWARD COUNTY</p> <p>Policy and Procedure</p> <p>Title: Pesticide Use on County Property</p>	<p>Number: 100.18</p> <p>Prepared By: Office of the CAO</p> <p>Initial Release Date:</p> <p>Revised:</p>
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Policy

The purpose of this policy is to protect and enhance both natural and developed landscapes. These procedures define and strengthen the existing proactive approach to landscape management by strengthening current integrated pest management protocols and limiting the use of pesticides to the circumstances defined herein.

Basic Procedure

(a) DEFINITIONS

1. Integrated Pest Management (IPM): means an ecosystem-based strategy that focuses on long-term prevention of unwanted pests and plants through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant plant varieties. The use of pesticides is minimized, and the least toxic option is used only after monitoring indicates they are needed according to established guidelines. Treatments are made with the goal of controlling only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.
2. Sustainable Land & Building Pesticide Management:
 - (a) Eliminates or mitigates economic and health damage caused by pests.
 - (b) Uses one or more of the following: (i) IPM; (ii) site or pest inspections; (iii) pest population monitoring and prevention strategies; (iv) an evaluation of the need for pest control; and, (v) one or more pest prevention and management methods, such as: habitat modifications, sanitation practices, entryway closures, structural repair, mechanical and biological controls, effective mowing, watering and fertilizing

practices that provide healthy soil, increased density of plantings to reduce weeds, reduction of mulched beds and bare soil, other nonchemical methods, and, if nontoxic options are unreasonable or have been exhausted, a least-toxic pesticide.

- (c) Minimizes the use of pesticides and their associated hazards to human health and the environment.
 - (d) Considers and weighs the alternative implications of a potential loss of a specific species if pesticides are not applied versus the impacts of spraying.
 - (e) Permits only targeted and controlled treatment in the smallest dose necessary when deemed essential, and never a blanket spray application.
3. Non-native, invasive species: plants or insects not originating from the Mid-Atlantic region that harm the natural environment by outcompeting native plants or insects for resources such as water and nutrients.
 4. Trunk injection: a method for injecting pesticides into the vascular system of a tree.
 5. Soil drench: a method for applying a pesticide to a tree by drenching the root collar allowing the roots to absorb the pesticide.
 6. Basal bark application: a method for applying a pesticide directly to the bark of the tree to be absorbed by the cambium layer and distributed throughout the tree.
 7. Weed: an undesirable plant growing where it is not wanted whether native or non-native.
 8. Pesticide: generally used term that indicates a substance used to control insects, fungus, or plants and as such includes all herbicides, insecticides, and fungicides.

(b) PROCEDURES

1. Sustainable Land & Building Pesticide Management: To the extent allowed by law, Howard County shall implement sustainable land and building pesticide management practices on all County controlled, managed, or owned buildings and grounds that adheres to generally accepted integrated pest management practices and procedures, including thorough documentation and reporting of all pesticide applications.
2. Licensing and Training:
 - (a) Howard County government employees required to possess a Maryland Pesticide Applicator's certification are required to attend an annual Maryland State approved recertification training. Non-certified staff, that handle pesticides are required to attend a County/State Pesticide Application training. Following training, staff shall be registered with the Maryland Department of

Agriculture.

- (b) Employees are also strongly encouraged to attend sustainable sites, landscaping, or similar trainings to better understand alternatives to pesticide application, as well as other approaches to reduce the need for applications.

3. Contractor Requirements:

Contractors applying pesticides on County property shall adhere to the following requirements:

- Must possess a Maryland Pesticide Applicators License and submit a copy to the County
- Follow all Maryland Department of Agriculture regulations
- Submit product label prior to application
- Review Maryland Pesticide Sensitivity List prior to application
- Apply IPM principals
- Submit a copy of the Maryland pesticide application record post-application

Any submissions required above shall be made to the contract administrator that supervises the contract.

4. Management of Noxious Weeds as Required by State Law: All work done on County property as part of any program to control noxious weeds will be done in compliance with State law. The noxious weed program will submit an annual report to be included with the reports from the Directors of Public Works and Recreation & Parks as specified in Subtitle I.

5. Neonicotinoids, Glyphosate and Chlorpyrifos: The use of chlorpyrifos is prohibited on all County property. The use of neonicotinoids and glyphosate is prohibited on all County property with the exceptions of: (a) County property under agricultural lease; and (b) all work done under the County's cooperative agreement with the Maryland Department of Agriculture for the control and eradication of noxious weeds. Exemptions for the use of glyphosate and neonicotinoids, for other uses, may be granted by the Director of Recreation & Parks or Director of Public Works if a request is submitted in writing that identifies the proposed location of application and pesticide to be used and shows:

- (a) The use is to prevent or combat an infestation of a species that can only be controlled by using neonicotinoids or glyphosate; and
- (b) An alternate pesticide will not provide effective and safe control of the pest; and

- (c) The benefits of saving a species population in the County by applying pesticides outweigh the potential negative impacts of treating with neonicotinoids or glyphosate at this location.

Such exemptions must be granted in writing.

- 5. Agricultural Lease: Agricultural land managers and their subcontractors shall adhere to the following requirements when utilizing restricted use pesticides on County property:
 - (a) Adhere to the Conservation Plan written by the Natural Resource Conservation Service and approved by the Howard County Department of Recreation and Parks.
 - (b) Must possess a Maryland pesticide applicator's license and submit a copy to the County Lease Administrator.
 - (c) When available, agricultural land managers are encouraged to use alternatives to neonicotinoids and glyphosate in their farming operations.
 - (d) Agricultural land managers shall provide an annual pesticide use report to include a listing of pesticide uses by location, pesticide name, and amount of concentrate used (in ounces) for the past 2 years, to include any noxious weed treatments, as well as, pesticide application protocols, which will be reviewed on an annual basis by the Howard County Department of Recreation and Parks lease administrator.

(c) REPORTING

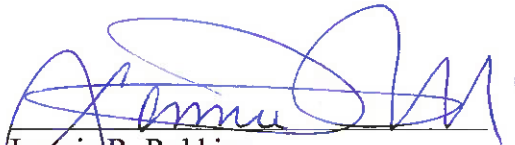
The Directors of the Departments of Recreation & Parks and Public Works will each present an annual report to the County Executive (due April 22 for the previous calendar year) that contains the following:

- (a) A listing of pesticide uses by location, pesticide name, and amount of concentrate used (in ounces) for the past 2 years, to include any noxious weed and guardrail maintenance treatments,
- (b) An explanation of why any pesticide had more than a 15% increase or decrease in usage over the 2 years reported,
- (c) A list and copies of all exemption requests approved and denied, for the reporting period and a comparison to the year prior,

- (d) A narrative describing staff trainings, alternatives considered, education initiatives, successes and challenges. If applicable, any forecasted needs or adaptive management strategies anticipated based on potential environmental or situational changes should be included in the narrative, and
- (e) A narrative explaining plans for future pesticide use and reduction in coordination with the Office of Community Sustainability.


(d) POLICY REVIEW AND MODIFICATION

This policy shall be evaluated biennially and updated by the Office of Community Sustainability in cooperation with other departments as new environmentally sensitive products and methods are developed. Howard County will continue to follow Integrated Pest Management practices as updated and recommended by a recognized authority. Modifications to this policy must be approved by the County Executive.



 Lonnie R. Robbins
 Chief Administrative Officer
 10/3/19

 Date

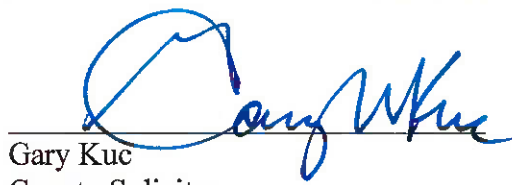


 Calvin Ball
 County Executive
 10/3/19

 Date

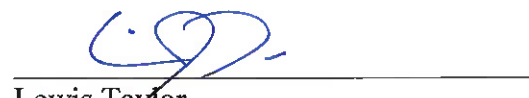
CERTIFICATION

“This Policy and Procedure is not subject to the provisions of the Howard County Administrative Procedures Act.”



 Gary Kuc
 County Solicitor
 9/26/19

 Date



 Lewis Taylor
 Reviewing Attorney
 9/26/19

 Date